

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 47675-93	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	
				10/517741 To be assigned	
INTERNATIONAL APPLICATION NO. PCT/EP2003/010881		INTERNATIONAL FILING DATE October 1, 2003 (10/01/03)		PRIORITY DATE CLAIMED October 1, 2002 (10/01/02)	
TITLE OF INVENTION METHOD AND NUCLEIC ACIDS FOR THE IMPROVED TREATMENT OF BREAST CELL PROLIFERATIVE DISORDERS					
APPLICANT(S) FOR DO/EO/US FOEKENS, John, HARBECK, Nadia, KOENIG, Thomas, MAIER, Sabine, MARTENS, John, MODEL, Fabian, NIMMRICH, Inko, RUJAN, Tamas, SCHMITT, Armin, SCHMITT, Manfred, LOOK, Maxime, P., MARX, Almuth, HOEFLER, Heinz					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> the US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Sequence Statement</p>					

U.S. APPLICATION NO. (if known, see 37 CFR 1.15) Not yet known <b>10/517741</b>		INTERNATIONAL APPLICATION NO PCT/EP2003/010881		ATTORNEY'S DOCKET NUMBER 47675-93	
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21. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO <span style="float: right;">\$1080.00</span> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO <span style="float: right;">\$ 1000.00</span> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO <span style="float: right;">\$ 770.00</span> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) <span style="float: right;">\$ 730.00</span> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) <span style="float: right;">\$ 100.00</span>					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$1000	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20 =	59	x \$ 25.00	\$ 1,475.00	
Independent claims	3 =	8	x \$ 100.00	\$ 800.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00 180.	\$ 180.00	
Additional sheet fee (each add'l. 50 sheets exceeding 100)			+ \$250.00	250.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ <del>2140</del> 3705.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. the fees indicated above are reduced by 1/2.				\$x.5	
<b>SUBTOTAL =</b>				\$ 3,705.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ n/a	
<b>TOTAL NATIONAL FEE =</b>				\$ 3,705.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 3,705.00	
				Amount to be refunded: \$	
				charged: \$	

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 04-0258 in the amount of \$ 3,705.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

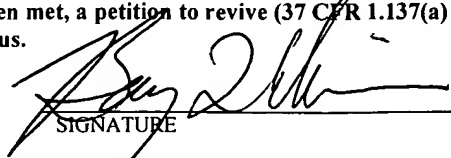
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0258. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Davis Wright Tremaine LLP  
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1501 Fourth Avenue  
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 SIGNATURE  
 Barry L. Davison, Ph.D., J.D.  
 NAME  
 47,309  
 REGISTRATION NUMBER

10/517741

05 Rec'd PCT/PTO 11 DEC 2004

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Applicants: Foekens et al.

Title: METHOD AND NUCLEIC ACIDS FOR THE IMPROVED  
TREATMENT OF BREAST CELL PROLIFERATIVE DISORDERS

U.S. Application No.: to be assigned

International  
Application No.: PCT/EP2003/010881

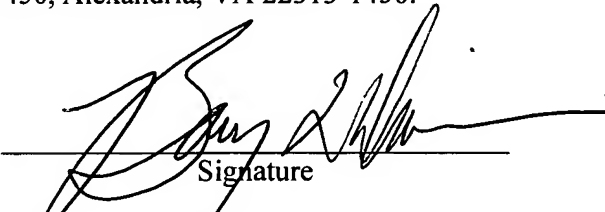
Attorney Docket No.: 47675-93

Date of Deposit: December 11, 2004

EXPRESS MAIL LABEL NUMBER: EV484957987US

I hereby certify that this paper, along with an accompanying Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371 (2 pages), Application Data Sheet, Preliminary Amendment and Sequence Listing, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date listed below, addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date December 11, 2004

  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Barry L. Davison, Ph.D., J.D.  
\_\_\_\_\_  
Printed Name